

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE STATE OF NEW YORK *EX REL* VINOD
KHURANA and THE CITY OF NEW YORK *EX
REL* VINOD KHURANA,

Plaintiffs,

v.

SPHERION CORP. (N/K/A SFN GROUP, INC.),

Defendant.

Case No. 15-cv-06605-JFK

**DECLARATION OF DAVID E. KOVEL IN SUPPORT OF RELATOR’S OPPOSITION
TO DEFENDANT’S MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

I, DAVID E. KOVEL, hereby declare under penalty of perjury that the following is true and correct:

1. I am a member in good standing of the Bar of the State of New York, and am admitted to practice before this Court.

2. I am a member of the law firm of Kirby McInerney LLP, counsel for Vinod Khurana (the “Relator”) in the above-captioned action. As such, I have knowledge of the matters set forth herein. I make this declaration in support of the Plaintiffs’ opposition to Defendant’s motion to dismiss the second amended complaint.

3. Attached hereto as exhibits are true and correct copies of the following documents:

Exhibit A: A true and correct copy of a January 12, 2011 Newspaper article from *The Village Voice* by Graham Rayman, titled “NYC’s Computer-System-Cash-Dump Disaster.”

Exhibit B: A true and correct copy of the Affidavit of Vinod Khurana executed April 1, 2013.

- Exhibit C: A true and correct copy of the [Proposed] Complaint, sent to the New York City Department of Investigations on January 18, 2011.
- Exhibit D: A true and correct copy of the cover letter attached to the [Proposed] Complaint, sent to the New York City Department of Investigation on January 18, 2011.
- Exhibit E: A true and correct copy of the return receipt from the New York City Department of Investigation regarding the [Proposed] Complaint, dated January 20, 2011.
- Exhibit F: A true and correct copy of the Memorandum of Law In Support of Motion For Relator's Share executed April 12, 2015, and filed under seal with the New York Supreme Court, County of New York, Index No. 650927/11.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 23, 2015
New York, New York

/s/ David E. Kovel
DAVID E. KOVEL